

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE: :
: :
MALKIAT SINGH : CHAPTER 7
: :
Debtor : CASE NO.: 16-51455-jwc

**MOTION TO REOPEN CLOSED BANKRUPTCY CASE
IN ORDER TO AVOID LIEN**

COMES NOW, the Debtor, by and through his Attorney, Howard Slomka, Esq., and requests that the Court reopen this Chapter 7 bankruptcy case following the Order of Discharge entered on June 1, 2016 (Doc. No. 13) and Chapter 7 case closure on June 1, 2016, showing the Court the following:

1.

Debtor reported in their Schedule F a default judgment held by Travelers Property Casualty Company of America as Subrogee of Newell Recycling of Atlanta (“Travelers”) as an unsecured claim. Debtor also reported the default judgment to Travelers in Question 9 in the Statement of Financial Affairs.

Unknown to Debtor, Travelers recorded its Writ of Fieri Facias (“FiFa”) with Clerk of Superior Court Cobb County, Georgia, Lien Book 99, Page 5883 January 22, 2016, just five days before the filing of the Petition. The Judgment had been over Debtor wishes to avoid the FiFa held by Travelers attached to Debtor’s property.

2.

Debtor seeks to reopen this case to file a Motion to Avoid Lien held by Travelers. Travelers’ lien impairs the exemptions claimed by the Debtor in the personal and real

property identified in Schedule A and B of Debtor's voluntary petition and the amount of the exemption that the Debtor could claim if there were no liens on the property exceeds the value of the Debtor's interest in the property that they would have in the absence of any liens.

WHEREFORE DEBTOR PRAYS that the Court reopen this closed bankruptcy case so Debtor can avoid the lien held by Travelers

This 22 day of March, 2021

Respectfully,

/s/
Howard Slomka, Esq.
Georgia Bar # 652875
Slipakoff & Slomka, PC
Attorney for Debtor
6400 Powers Ferry Road, NW
Suite 391
Atlanta, GA 30339

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NOTICE OF HEARING

PLEASE TAKE NOTICE that Debtors, MALKIAT SINGH have filed a Motion to Reopen Closed Bankruptcy Case in Order to Avoid Lien and related papers with the Court seeking an order.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on the Motion in Courtroom 1203, United States Courthouse, 75 Ted Turner Drive, S.W., Atlanta, Georgia 30303 at **11:00 a.m. on April 22, 2021**

Your rights may be affected by the Court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the court to grant the relief sought in these pleadings or if you want the court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least three business days before the hearing. The address of the Clerk's Office is: Clerk, U.S.

Bankruptcy Court, Suite 1340, 75 Ted Turner Drive, SW, Atlanta, Georgia 30303. You must also mail a copy of your response to the undersigned at the address stated below.

Dated: March 22, 2021

_____/s/_____
Howard Slomka, Esq.
Georgia Bar # 652875
Slipakoff & Slomka, PC
Attorney for Debtor
6400 Powers Ferry Road, NW
Suite 391
Atlanta, GA 30339

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CERTIFICATE OF SERVICE

This is to certify that I have this day served the foregoing Motion to Reopen Closed Bankruptcy Case in Order to Avoid Lien and Notice of Hearing upon the following by depositing a copy in the United States First Class Mail in a properly addressed envelope with adequate postage affixed there on to:

Chapter 7 Trustee
S. Gregory Hays
Hays Financial Consulting, LLC
Suite 555
2964 Peachtree Road
Atlanta, GA 30305

Malkiat Singh
9110 Waterford Lane
Powder Springs, GA 30127

U.S. Trustee (served via ECF)
Office of the United States Trustee
362 Richard Russell Building
75 Ted Turner Drive, SW
Atlanta, GA 30303

SEE ATTACHED FOR ADDITIONAL CREDITORS

DATED: March 22, 2021

/s/
Howard Slomka, Esq.
Georgia Bar # 652875
Slipakoff & Slomka, PC
Attorney for Debtor

6400 Powers Ferry Road, NW
Suite 391
Atlanta, GA 30339

Label Matrix for local noticing
113E-1
Case 16-51455-crm
Northern District of Georgia
Atlanta
Mon Mar 22 09:59:46 EDT 2021

Bank Of America
Nc4-105-03-14
Po Box 26012
Greensboro, NC 27420-6012

American Express
PO Box 981537
El Paso, TX 79998-1537

BB&T
Bankruptcy Dept 100-50-01-51
PO Box 184
Wilson, NC 27894-0184

Capital One
Attn: Bankruptcy
Po Box 30285
Salt Lake City, UT 84130-0285

(p)JPMORGAN CHASE BANK N A
BANKRUPTCY MAIL INTAKE TEAM
700 KANSAS LANE FLOOR 01
MONROE LA 71203-4774

Delta Ccu
Attention: Bankruptcy Department
Po Box 20541
Atlanta, GA 30320-2541

Discover Financial
Attn: Bankruptcy
Po Box 3025
New Albany, OH 43054-3025

GE Transportation Finance
PO Box 642222
Pittsburgh, PA 15264-2222

S. Gregory Hays
Hays Financial Consulting, LLC
Suite 555
2964 Peachtree Road
Atlanta, GA 30305-4909

Mary A. Miller & Assoc, LLC
PO Box 1588
Norcross, GA 30091-1588

Office of the United States Trustee
362 Richard Russell Building
75 Ted Turner Drive, SW
Atlanta, GA 30303-3315

Pennymac Loan Services
Attn: Bankruptcy
Po Box 514357
Los Angeles, CA 90051

Richard H. Siegel
Aldridge Pite, LLP
Suite 500 - Fifteen Piedmont Center
3575 Piedmont Road, NE
Atlanta, GA 30305-1636

Malkiat Singh
9110 Waterford Lane
Powder Springs, GA 30127-8008

Howard P. Slomka
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Suite 391
6400 Powers Ferry Road NW
Atlanta, GA 30339-2970

Synchrony Bank/Sams
Attn: Bankruptcy
Po Box 103104
Roswell, GA 30076-9104

Worthington Oaks HOA
101 Devant Street
Suite 904
Fayetteville, GA 30214-2718